

# Austin Police Department

## Distracted Driving Ordinance Overview

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Highway Enforcement



# Distracted Driving

Driver distraction is a significant and preventable source motor-vehicle crashes. With over 300 million wireless subscriptions in America—and growing, technology is playing an increasing role in enhancing our quality of life. Yet studies have shown that using these technologies behind the wheel have devastating consequences.

# Distracted Driving

- A recent study released in April, 2013, by the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) estimates that in 2010:
  - **3,092** people were killed due to distracted driving (9% of all fatal crashes)
  - **416,000** people were injured (18% of all injury crashes), in crashes involving distracted drivers.
  - observational studies show that at any given daylight moment, over 100,000 drivers are texting and more than 600,000 drivers are holding phones to their ears while driving.
  - The National Safety Council estimates that up to 28% of all crashes on the roadway may be caused by the use of a cell phone to talk, dial, or text while driving.
  - Distracted driving has now joined alcohol and speeding as leading factors in fatal and serious injury crashes.

## Distracted Driving

- On August 28, 2014, responding to public outcry, the Austin City Council unanimously approved a new distracted driving ordinance prohibiting holding, touching or using all handheld portable electronic devices while a motor vehicle or bicycle is in motion.

# Hands Free City Ordinance

## Ordinance No: 20140828-041

New restrictions specifically ban the following while operating a vehicle or bicycle:

- Manually making and disconnecting phone calls
- Participating in a conversation with the phone held to your ear
- Viewing and sending any electronic data, including e-mail, text messages, pictures, websites, social media and games
- Entering or changing information in a navigation or GPS device. Drivers are expected to set the GPS prior to driving

# Exceptions

- The motor vehicle or bicycle is at a complete stop
- Using the hand-free mode or Bluetooth to make a phone call is allowed
- When the GPS and the device is affixed to the motor vehicle or bicycle
- Devices can be used to call 9-1-1
  - obtaining emergency assistance to report a crime, traffic accident, medical emergency, or serious traffic hazard, or to prevent a crime about to be committed; or
  - If there is reasonable belief that a person's life or safety is in immediate danger.
- Does not apply authorized emergency personnel using a portable electronic device while acting in an official capacity.
- Does not apply to an operator who is licensed by the Federal Communications Commission while operating a radio frequency device other than a portable electronic device or an operator using a two-way radio communication device in a commercial vehicle.

# Emergency Personnel

- Police, Fire, EMS and other emergency responders may use electronic devices in an “Official Capacity” only.
- Department Policy further restricts electronic device use for police while driving.
- APD is in the process of equipping vehicles with Bluetooth devices to help keep officers hands-free.

# Questions?

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